

JAMES E. HOWARD LLC
ONE THOMPSON SQUARE
SUITE 201
CHARLESTOWN, MA 02129

TEL (617) 886-9322
FAX (617) 886-9324



July 29, 2005

VIA FEDERAL EXPRESS

Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

21444.5

Re: Finance Docket No. 34734
Northeast Interchange Railway, LLC--Lease and Operation
Exemption--Line in Croton-on-Hudson, New York

Dear Secretary Williams:

Enclosed for filing in the above-captioned matter are the original and 10 copies of a Verified Notice of Exempt Transaction including, as Exhibit B, a caption summary in the form required by 49 CFR 1150.34. Also enclosed are a check in the amount of \$1,500 representing the filing fee and a computer disk containing the Notice and caption summary.

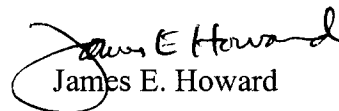
Could you please date stamp the enclosed extra copy of the Notice and return it to me in the enclosed self-addressed, stamped envelope? If there are any questions with respect to this matter, please direct them to me. Thank you very much for your assistance.

ENTERED
Office of Proceedings

AUG 01 2005

Part of
Public Record

Very truly yours,


James E. Howard

Enclosures

cc: Andreas Y. Gruson

FILED

AUG 1 2005

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100% DUTY FREE

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 34734



NORTHEAST INTERCHANGE RAILWAY, LLC--LEASE AND OPERATION
EXEMPTION--LINE IN CROTON-ON-HUDSON, NEW YORK

VERIFIED NOTICE OF EXEMPT TRANSACTION

FILED

AUG 1 2005

SURFACE
TRANSPORTATION BOARD

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Office of Proceedings

AUG 21 2005

Part of
Public Record

James E. Howard
One Thompson Square
Suite 201
Charlestown, MA 02129
Tel. No. 617-886-9322

Attorney for Northeast Interchange Railway, LLC

Dated: July 29, 2005

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 34734

NORTHEAST INTERCHANGE RAILWAY, LLC--LEASE AND OPERATION
EXEMPTION--LINE IN CROTON-ON-HUDSON, NEW YORK

VERIFIED NOTICE OF EXEMPT TRANSACTION

In accordance with 49 C.F.R. 1150.31-1150.34, Northeast Interchange Railway, LLC ("NIR") hereby submits this Verified Notice of Exempt Transaction. The following information corresponds to the requirements of 49 C.F.R. 1150.33:

49 C.F.R. 1150.33(a). The full name and address of the applicant is

Northeast Interchange Railway, LLC
1A Croton Pointe Ave.
Croton-on-Hudson, NY 10520

49 C.F.R. 1150.33(b). The name, address and telephone number of the representative of the applicant who should receive correspondence is

James E. Howard
One Thompson Square
Suite 201
Charlestown, MA 02129
617-886-9322

49 C.F.R. 1150.33(c). NIR has reached an agreement with Allied Waste North America, Inc. ("Allied") to acquire ownership of Metro Enviro Transfer, LLC ("Metro"), a wholly-owned, noncarrier subsidiary of Allied. The assets of Metro include a lease from Greentree Realty, LLC ("Greentree") of an approximately 10 acre parcel of real

estate located in Croton-on-Hudson, New York. The leased property includes approximately 1,600 feet of track that connects with the Hudson line of CSX Transportation ("CSX") at approximately mile post QC 35.

49 C.F.R. 1150.33(d). NIR will be the operator of the line.

49 C.F.R. 1150.33(e). The proposed transaction is summarized below:

(1) The name and address of the entity which is leasing the line to NIR is

Greentree Realty, LLC
c/o Kenneth Gunshor, Esq.
100 South Bedford Road
Suite 150
Mount Kisco, NY 10549

(2) The parties propose to implement the transaction promptly after this Verified Notice of Exempt Transaction becomes effective.

(3) The line to be operated by NIR is approximately 1,600 feet in length, and it connects with the Hudson line of CSX at approximately mile post QC 35 in Croton-on-Hudson, NY.

(4) NIR will be acquiring 1,600 feet of line.

(5) Greentree is not a railroad and does not by leasing the line to NIR intend to become a railroad or to provide common carrier transportation by rail. The line was built in approximately 1997 and has been operated by Metro, as the lessee of the line and the surrounding 10 acre parcel, which has switched cars to and from CSX at the connection at mile post QC 35. The rail transportation business on the line and such 10 acre parcel of property has consisted primarily of the transloading of construction and demolition waste material from trucks to rail cars for shipment by rail to disposal sites. Metro's construction and demolition waste transloading operation is licensed by the New York

State Department of Environmental Conservation ("NYSDEC"). The NYSDEC permit could be assigned to NIR if NIR elects to do so. A special use zoning permit allowing Metro's construction and demolition waste transloading operation has not been renewed by the town of Croton-on-Hudson. The New York State Appeals Court recently ruled that Croton-on-Hudson had the right not to renew Metro's special use permit, and Croton-on-Hudson has ordered Metro to discontinue construction and demolition waste transloading.

By means of this transaction, NIR, a noncarrier, intends to become a common carrier by rail, and its entire rail line will initially consist of the 1,600 foot track. NIR will provide rail transportation service for the transloading of construction and demolition waste and other materials, and it intends to build additional tracks on the leased property in order to serve other rail customers, such as shippers or receivers of intermodal containers, lumber, brick, road salt, steel and bulk liquids. NIR expects to enter into an interchange agreement with CSX, as well as other commercial arrangements with CSX and other rail carriers, in order to handle both existing and new rail traffic to and from the line of NIR.

NIR is wholly owned by Regus Industries, LLC, which is in turn controlled by Gordon Reger, who also has a controlling interest in the New York Cross Harbor Railroad Corporation, a class III rail carrier. Concurrently with the filing of this Verified Notice of Exempt Transaction, Gordon Reger is filing a verified notice of exemption pursuant to 49 C.F.R. 1180.2 regarding his control of a second rail carrier. See Finance Docket No. 34735.

49 C.F.R. 1150.33(f). A map indicating the line, the area to be served and roads, cities and states in the area is attached as Exhibit A.


49 C.F.R. 1150.33(g). The projected annual revenues of NIR will not exceed \$5,000,000. A certificate complying with 49 C.F.R. 1150.33(g) is attached as Exhibit B.

Caption Summary. A caption summary in the form prescribed by 49 C.F.R. 1150.34 is attached as Exhibit C.

Environmental and Historic Impact. In accordance with 49 C.F.R. 1105.6(c)(2), the proposed transaction does not require any environmental documentation, because there will be no significant changes that exceed the thresholds established in 49 C.F.R. 1105.7(e)(4) or (5). No historic report is required, because the proposed transaction meets the criteria of 49 C.F.R. 1105.8(b)(1).

Respectfully submitted,

NORTHEAST INTERCHANGE RAILWAY, LLC


James E. Howard
One Thompson Square
Suite 201
Charlestown, MA 02129
Tel. No. 617-886-9322

Attorney for Northeast Interchange Railway, LLC

Dated: July 29, 2005

VERIFICATION

State of New York :
County of ~~Westchester~~ *NY* : ^{SS}

Andreas Y. Gruson, being duly sworn, deposes and states that he has read the foregoing Verified Notice of Exempt Transaction, knows the facts asserted there are true and the same are true as stated.



Andreas Y. Gruson
Chief Executive Officer
Northeast Interchange Railway, LLC

Subscribed and sworn to before me
this 26th day of July 2005,

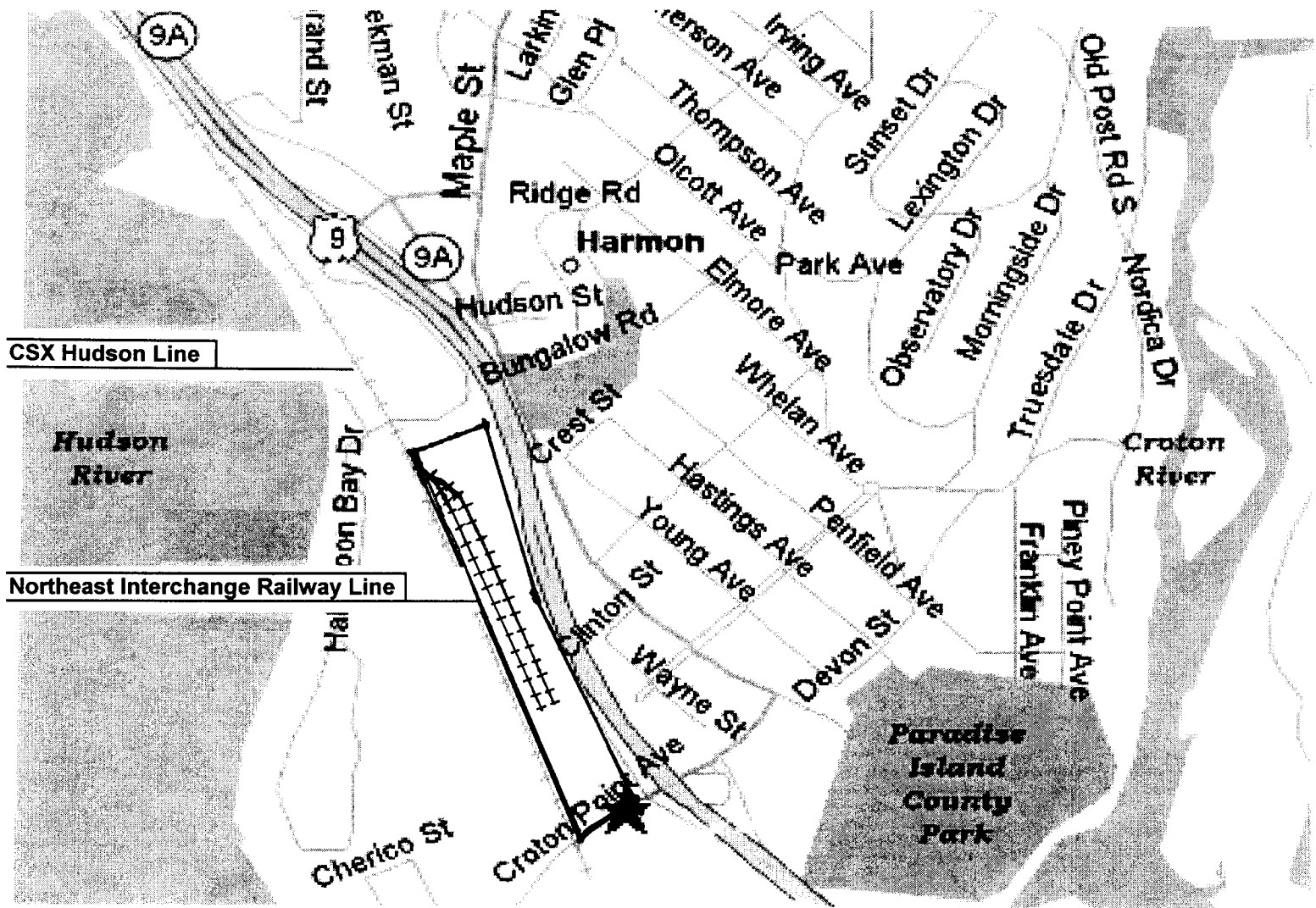


Notary Public

My Commission Expires: Aug 6, 2005

MARGARITA PLISCHTEJEV
Notary Public, State of New York
No. 01PL6062257
Qualified in Queens County
Commission Expires 8/6/05

EXHIBIT A



CROTON-ON-HUDSON

EXHIBIT B

CAPTION SUMMARY

SURFACE TRANSPORTATION BOARD

NOTICE OF EXEMPTION

Finance Docket No. 34734

**NORTHEAST INTERCHANGE RAILWAY, LL--LEASE AND OPERATION
EXEMPTIO--LINE IN CROTON-ON-HUDSON, NEW YORK**

Northeast Interchange Railway, LLC, a noncarrier, has filed a Verified Notice of Exemption under 49 C.F.R. 1150.31 to lease and operate a line located in Croton-on-Hudson, New York. The line is located within a 10 acre parcel of real property that will be leased to NIR. The owner and lessor of the property and line is Greentree Realty, LLC, a noncarrier. The line is approximately 1,600 feet in length and it connects with the Hudson line of CSX Transportation at mile post QC 35.

Any comments must be filed with the Surface Transportation Board and served on

James E. Howard LLC
One Thompson Square, Suite 201
Charlestown, MA 02129

This Notice is filed under 49 C.F.R. 1150.31. If the Notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke the exemption will not automatically stay the transaction.

EXHIBIT C

CERTIFICATION

I, Andreas Y. Gruson, Chief Executive Officer of Northeast Interchange Railway, LLC, hereby certify under penalty of perjury that (1) the projected annual revenues of Northeast Interchange Railway, LLC will not exceed \$5,000,000 and will not exceed the maximum amount for a Class III rail carrier as set forth in 49 C.F.R. 1201 and (2) I am qualified and authorized to make this certification on behalf of Northeast Interchange Railway, LLC.



July 29, 2005